

**IN THE UNITED STATES DISTRICT COURT
EASTER DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**VIRENDAR K. VERMA, M.D., and
REHAB AND PAIN MANAGEMENT CLINIC, P.A.**

PLAINTIFFS

v.

5:06CV00043-WRW

**JEFFERSON HOSPITAL ASSOCIATION
d/b/a JEFFERSON REGIONAL MEDICAL
CENTER and REHABCARE GROUP, INC.**

DEFENDANTS

ORDER

Pending are Defendant Jefferson Hospital Association's ("JRMHC") Motion to Clarify or Amend Restraining Order (Doc. No. 262) and Defendant Rehab Group's ("RehabCare") Motion to Clarify or Modify March 6, 2006 Order (Doc. No. 263). Defendants' Motions are GRANTED in part, and DENIED in part.

The Court has received the Special Master's Report from Robert L. Henry, III. After a review of those proposed findings and recommendations, the Court adopts them in their entirety. Accordingly: (1) JRMHC is relieved of any obligation under the March 6, 2006, Order¹ to have its employees specifically involved with the screening of patients for admission to the Rehabilitation Unit, because that function is normally performed by RehabCare. Defendant JRMHC's Motion (Doc. No. 262) is GRANTED to this extent, but is otherwise DENIED; and (2) Defendant RehabCare's Motion (Doc. No. 263) is GRANTED in that RehabCare is permitted to maintain the 75/25 patient ratio under Medicare regulations during admissions; the application of that ratio is a valid criteria in determining the order in which screened patients receive bed assignments for admission into the Rehabilitation Unit. Further, Dr. Verma's office is directed to

¹Doc. No. 22.

notify RehabCare as soon as possible with the names of any of his patients who are being screened and need to be on the waiting list for admission to the Rehabilitation Unit. This is to allow RehabCare to have as much notice as possible in scheduling staff and bed assignments for patients. Defendant RehabCare's Motion is otherwise DENIED.

IT IS SO ORDERED this 10th day of December, 2007.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE